

ORIGINAL

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BEFORE THE DIVISION OF OIL, GAS AND MINING

DEPARTMENT OF NATURAL RESOURCES

STATE OF UTAH

IN THE MATTER OF THE PERMIT APPLICATION  
FOR ALTON COAL DEVELOPMENT, L.L.C.'S  
COAL HOLLOW MINE  
C/025/0005 KANE COUNTY, UTAH

INFORMAL CONFERENCE

TAKEN AT: Alton City Town Hall  
11 South 100 West  
Alton, Utah

DATE: June 16, 2008

TIME: 6:00 p.m.

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REPORTED BY: CAROLE YELTON, RPR, CSR

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A\_P\_P\_E\_A\_R\_A\_N\_C\_E\_S:

Division of Oil, Gas and Mining: - - -  
John R. Baza, Director  
Dana Dean, Associate Director - Mining  
Daron Haddock, Permit Supervisor  
Priscilla Burton, Environmental Scientist  
David Darby, Environmental Scientist  
Wayne Western, Environmental Scientist  
Joe Helfrich, Environmental Scientist  
Jim Smith, Environmental Scientist  
  
Steven F. Alder, Assistant Attorney General  
Kevin Bolander, Assistant Attorney General  
Denise A. Dragoo, Esq.

SPEAKERS:

Barbara Allison  
Carol Allison  
Erik Baron  
John R. Baza  
Rick Blackwell  
Bobbi Bryant  
Claire Cleveland  
Jerry Drummond  
Richard Hartley  
Ron Heaton  
Claren Heaton  
Jim Johnson  
Brent Judd  
Chris McCourt  
Luella McMahan  
Peter McMahan  
Frank Nichols  
Brian Nichols  
Vince Salvato  
Richard Swapp  
Paul Thevenin  
Becky Yard

P\_R\_O\_C\_E\_E\_D\_I\_N\_G\_S

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DIRECTOR BAZA: Well, let me start by saying my name is John Baza; I'm the Director of the Division of Oil, Gas and Mining.

I'd like to thank you all for coming. And I'd also like to thank the -- the Mayor of Alton for allowing us to be in this building and use this room for this purpose tonight.

Let me mention that the Division of Oil, Gas and Mining is one of seven divisions within the Utah Department of Natural Resources.

And, along with our other sister agencies, we're responsible to ensure that activities in the State of Utah, at least related to mining, are complying with state law and regulations.

We're here today to conduct an informal conference in the matter of an application for a coal mine presented to the Division by Alton Coal Development, L.L.C.

And this is identified as Mine Application Number C/025/0005. I'd like to introduce, along with myself, members of the Division staff who are here with me today.

And I'll ask each one of them to stand and

1 just -- so that you can see who they are. First of all,  
2 I'd like to introduce Dana Dean, who is our Associate  
3 Director for Mining.

4 Then, we have Daron Haddock and Jim Smith, who  
5 are managers within our coal regulatory program.

6 We also have staff members of the Division,  
7 and one of those staff members will be giving a  
8 presentation tonight. Her name is Priscilla Burton.

9 And other staff right here, who have technical  
10 expertise in the review of the mine application, are  
11 Wayne Western, Joe Helfrich and Dave Darby.

12 We also have assistants from our Attorney  
13 General's office, and that would be Steve Alder and  
14 Kevin Bolander.

15 As I've already mentioned, the Division has  
16 received an application to conduct surface coal mining  
17 operations located nearby to where we're having this  
18 meeting tonight.

19 Following my remarks, a member of the Division  
20 staff, Priscilla Burton, will briefly summarize the  
21 proposed mining operations, but I'm going to introduce  
22 the topic and tell you how we're -- we're going to  
23 proceed through this -- this evening's meeting.

24 The Division is required to evaluate the  
25 application to assure that it complies with the

1 requirements of the Utah Coal Mining Reclamation Act  
2 and the associated regulations.

3 The Division's approval does not supersede the  
4 authority of other agencies that also have authority  
5 under state and federal law.

6 The Division's obligation is to ensure that  
7 mining proceeds in an environmentally sound manner and  
8 that reclamation occurs soon after mining, according to  
9 the R645 Utah Coal Mining Rules.

10 This informal conference is being held to take  
11 comment on the proposal to surface mine approximately  
12 653 acres of privately owned coal and surface  
13 approximately four miles southeast of the town of Alton.

14 To facilitate the mining of the fee coal --  
15 and fee means privately owned -- public road 136 must be  
16 temporarily relocated. Comments on the road relocation  
17 are also encouraged at this time.

18 The Division's evaluation is a somewhat  
19 lengthy process that involves a number of stages. And  
20 let me explain those stages to you.

21 The first stage is to determine that the  
22 application is administratively complete. The  
23 application submitted -- or the applicant submitted an  
24 initial application package on June 14th of last year,  
25 in 2007.

1           And subsequently they supplemented that  
2 information with additional information this past  
3 January, on January 24th of 2008.

4           The Division made the determination that the  
5 application was administratively complete and notified  
6 the applicant of this determination on March 14th.

7           The second stage occurs after the Division  
8 determines that there's an administratively complete  
9 application.

10          Then, the applicant and the Division give  
11 notice of the application to solicit comments, and this  
12 is the stage that we're now in this evening.

13          Let me explain that in a little more detail.  
14 Notice was published by the applicant, and the Division  
15 sent notice to affected government agencies or entities  
16 that we had determined that the application was  
17 administratively complete.

18          A public notice appeared for the 635.64-acre  
19 surface mine permit application in the Southern Utah  
20 News from March 26th through April 16th. The Division  
21 accepted public comment through May 16th, about 30 days  
22 after that.

23          If requested within 30 days of the last  
24 newspaper publication, the Division is required to hold  
25 an informal conference as part of the comment

1 opportunity.

2 Three requests were received within the  
3 30 days, and thus the Division is holding this informal  
4 conference.

5 The Division mailed notice to government  
6 entities and others and requested their comments by  
7 May 22nd.

8 Those comments were received by that date, and  
9 additional comments have also been received since the  
10 two aforementioned deadlines that I just -- that I just  
11 covered.

12 All written comments will be received and  
13 considered by the Division as it proceeds with the  
14 evaluation.

15 And I need to repeat that, that all written  
16 comments will be received and considered by the  
17 Division.

18 This informal conference was advertised the  
19 first week in June, June 4th and 5th, in both the  
20 Southern Utah News and the Garfield County newspaper.

21 In order to accomplish -- accommodate the  
22 purposes of providing for full public participation in  
23 the application review process, the Division will allow  
24 an opportunity for all who wish to comment at this  
25 informal conference an opportunity to do so.

1           Finally, in order to provide a full two weeks  
2 of notice and to provide time for those who need  
3 additional time to comment, the Division will extend the  
4 time to file your written comments until this Friday,  
5 June 20th. At that point, the comment period will  
6 close.

7           The third stage of our process occurs  
8 primarily after the informal conference is concluded.  
9 And it involves the work of making a thorough evaluation  
10 of the application for its technical adequacy, in other  
11 words, to determine that the application and the  
12 operator comply with all of the requirements of the act  
13 to obtain a permit.

14           This requires a very thorough analysis of the  
15 area to be mined, including the hydrology, the wildlife,  
16 the vegetation, the archaeology, the land use and other  
17 resource aspects of the area.

18           It also includes an evaluation of the proposed  
19 mining operation and mining and reclamation plan to  
20 assure that mining will be conducted in a way that will  
21 protect the resources and assure that the area will be  
22 returned to the approved post-mining land use.

23           The final -- fourth and final stage occurs  
24 when the Division makes its decision on the application.  
25 Notice will be sent to all persons who participated in



1 this informal conference, and any person who has an  
2 interest that may be adversely affected may request a  
3 hearing on the Division's final decision.

4 If there is a request, any person with an  
5 interest that may be adversely affected has an  
6 opportunity for a hearing before the Board of Oil, Gas  
7 and Mining, who normally meet in Salt Lake City.

8 As part of the decision to approve a permit,  
9 the Division must determine that the mine operator  
10 complies with other laws and regulations that are  
11 enforced by other federal, state and local government  
12 bodies.

13 For example, the operator must comply with  
14 Bureau of Land Management requirements for a right of  
15 way. They must obtain air and water quality permits  
16 from the Utah Department of Environmental Quality. And  
17 they must obtain approval of Kane County to relocate any  
18 roads and for other county level permit.

19 Approvals from other government entities may  
20 also be required. Although these issues may arise due  
21 to the possible approval of the mining application, the  
22 Division is not responsible for enforcing these laws,  
23 and approval must be granted by the appropriate  
24 government agency.

25 Although you may wish to comment today on

1 these concerns, you should be aware that you will also  
2 need to address your concerns to those agencies in  
3 accordance with their procedures and opportunities for  
4 public participation in those decisions.

5 Regarding the proposed relocation of the  
6 public road, we wish to advise you of, at least, two  
7 other agencies and approvals that will occur later.

8 First of all, we know that the BLM is  
9 currently going through a scoping process, and they'll  
10 be accepting public comment through June 22nd, and we  
11 encourage you to participate in that process. And that  
12 will probably be the BLM office out of Kanab.

13 Secondly, Kane County may need to make some  
14 determinations of their own. They're in the process of  
15 addressing an agreement with the applicant in this case  
16 regarding the road relocation.

17 As part of the public process, if a public  
18 road is to be re- -- relocated, then the Division is  
19 required to provide an opportunity for public hearing on  
20 that proposed relocation, the timing and duration of the  
21 relocation and, based on the information received, make  
22 a determination that the interests of the public will be  
23 protected.

24 Although the public advertisement and other  
25 notices given for this informal conference included the

1 relocation of the road as part of the purposes of this  
2 informal conference, the Division will not rely solely  
3 on this meeting on this issue.

4 And before making its findings concerning the  
5 adequacy of the protection of the public interests  
6 involved, we will have discussions with those other  
7 parties.

8 Finally, I'll repeat that this informal  
9 conference is an opportunity for the Division to receive  
10 comments. It's not a hearing on the determination that  
11 the application is complete.

12 We've made that determination, and we  
13 certainly will hear your comments on that. No person's  
14 rights to appeal the final decision of the mining  
15 approval will be affected by the fact that they make  
16 comments here tonight or not.

17 We hope that the comments will be  
18 constructive, and your comments will help the Division  
19 to conduct a better permit review and reach a better  
20 decision making on this mine application.

21 The final decision on whether to grant the  
22 permit or not will occur after a great deal of  
23 additional work.

24 You will receive notice of that decision if  
25 you elect to provide comments with your name and

1 address.

2 Now, I do believe we have a list going around  
3 where you can put your name and address if you  
4 receive -- want to receive more information from the  
5 Division. You can just list your name if you just want  
6 to show that you participated in the meeting tonight.

7 So let me summarize the comments we've  
8 received so far. In all, approximately 40 individuals  
9 have commented and four interested organizations.

10 And these were all comments that we received  
11 on or before May 22nd. Three requests for an informal  
12 conference were received by May 16th.

13 These came from Bobbi Bryant, Peter and Luella  
14 McMahan and Brian Douglas. Five more were received by  
15 May 22nd.

16 They were Daron Cleveland, Kurt and Teresa  
17 Sherwood, Danielle Bass, Phillip and Harriet Presca and  
18 Steven Bloch representing the Southern Utah Wilderness  
19 Alliance.

20 Let me also mention that supportive comments  
21 were received from the Kane County Commission,

22 Representative Mike Morrell, Alton Mayor  
23 Claren Heaton and from individuals.

24 Supportive comments focused on the need for  
25 the jobs and the industry in this region and the need to

1 provide for energy independence.

2 Most comments received by the Division were  
3 concerned with the effects of 300 trucks daily on the  
4 designated Panguitch National Historic District and the  
5 effects of truck traffic on safety to travelers on  
6 SR 89.

7 Some were concerned about visibility impacts.  
8 Some were concerned about traffic throughout, and some  
9 mentioned impacts on wildlife and the water resources.

10 To the extent that we have rules that affect  
11 these issues and resources, we will certainly address  
12 them.

13 But your comments are certainly much  
14 appreciated, and we will take those into consideration  
15 as we go through the review process.

16 Let me explain how I'd like to proceed  
17 tonight. First of all, as I mentioned, Priscilla Burton  
18 from the Division will give a brief explanation on the  
19 proposed mining operations.

20 After her explanation, we'd like to receive  
21 comments by the persons who requested an informal  
22 conference. These include the names I've already  
23 mentioned, Bobbi Bryant, Peter and Luella McMahan, Brian  
24 Douglas, Daron Cleveland, Kurt and Teresa Sherwood,  
25 Danielle Bass, and Steven Bloch.

1           No one who provides written comment need  
2 address this -- this meeting orally. And, as I've  
3 previously mentioned, we will leave a time period open  
4 for the remainder of the week for any written comments  
5 that you want to submit.

6           Next, we would like to hear from those who  
7 have submitted written comments and wish to speak  
8 further, again only if they wish to do so. These would  
9 be the people whose names I haven't mentioned but who  
10 have turned in written comments.

11           And, finally, we'd like to allow for comments  
12 from any others as time permits. And certainly, before  
13 the close of the meeting tonight, we will also leave  
14 some time for a statement by the applicant in response  
15 to any comments they've heard tonight.

16           Although I don't want to set specific time  
17 limits for each person, I would ask you to be succinct  
18 and to summarize your comments as quickly as you can.

19           I believe that you should be able to do this  
20 within a window of about five minutes each, recognizing  
21 that we may have many persons who wish to comment.

22           If I do sense an individual's comments are  
23 running long, then I'll ask you to conclude very  
24 quickly.

25           I'd also encourage you to contact these

1 Division staff members after this informal conference  
2 with any specific questions that you might have.

3 As we close the meeting tonight, we'll  
4 certainly have a few minutes while we're cleaning up and  
5 taking down chairs. And if you want to visit with any  
6 of the staff members, we'll be around as long as we can  
7 to answer your questions.

8 It probably would not be reasonable during  
9 this meeting to try to have a dialog with individuals  
10 while we have others who may be waiting for comment.

11 So, having said all this, let's now proceed  
12 and turn the time over to Priscilla, and we'll organize  
13 our comments -- public comments as I've indicated.

14 MS. BURTON: I've come with a few handouts  
15 that you're welcome to come up after -- after we've  
16 taken comments and -- and take home with you.

17 One is a -- a fact sheet on the Coal Hollow  
18 Mine, and this is information that is boiled down from  
19 those six volumes over there (indicating), which is the  
20 mine application.

21 And the other paper is a -- a diagram of the  
22 relocation of the road, and we'll go over that in a  
23 minute. And then I've got some cards up here if you --  
24 if you want to pick up my card.

25 DIRECTOR BAZA: Can everyone hear Priscilla?

1 Does she need to use the microphone?

2 MS. BURTON: Just to make -- make it clear, a  
3 lot of the commenters that we received comments from are  
4 aware of the BLM's current environmental impact  
5 statement that they are writing on a federal lease that  
6 is adjacent to this privately held coal that the  
7 Division is currently permitting.

8 So that is a -- is a separate issue, and  
9 you'll have an opportunity to comment on that when it --  
10 when the BLM environmental impact statement comes out in  
11 draft form.

12 So what was before the Division -- or is  
13 before the Division and what was noticed in the public  
14 notice is a -- an application for a -- a mine on private  
15 land.

16 And the coal is held in -- in private --  
17 privately owned coal, which we refer to as fee coal.  
18 It's 635 acres, and it's in Township 39 South, Range 5  
19 West, Sections 19, 20, 30 and 29. And that's just south  
20 of Alton.

21 Also wanted to mention that these six volumes  
22 over here are available on our website, and I've written  
23 the website on the -- the blackboard inside that room  
24 where I've written the website.

25 The website's also stapled to the public



1 notice, which was in the Southern Paiute News in March  
2 and April. And so it's on the wall up there.

3 So you can log on to that website. You have  
4 to use a password and log in, and the password and log  
5 in are both ogmquest.

6 And so these maps on the wall display, first  
7 of all the location --

8 THE REPORTER: Excuse me.

9 DIRECTOR BAZA: Yeah. She cannot hear you.  
10 Do you want to use the microphone?

11 MS. BURTON: So the topographic map shows the  
12 location. I was going to start down there, Wayne, and  
13 just point out Sink Valley southeast of Alton.

14 MR. WESTERN: The valley is here, and this is  
15 Lower Rock Creek in here, and the Town of Alton is here  
16 (indicating).

17 MS. BURTON: And then the next map is drawing  
18 1-1 area permit and application, and it shows you the  
19 same area but on a little larger scale.

20 And the area in pink is the -- the permit area  
21 that the Alton Coal Development is applying for a permit  
22 for.

23 And -- and then the following map, which is  
24 drawing 5-2, shows the progression of mining with year  
25 one mining in green and year two mining in brown, and

1       then the third year mining.

2               And this would be -- this mine permit  
3       application is for a five-year permit. And, the way the  
4       application describes the work, it will be completely  
5       reclaimed in five years.

6               Reclamation will be contemporaneous; so, as  
7       each pit is mined, it will be reclaimed. The mine will  
8       use hydraulic excavators, front-end loaders, end-dump  
9       mining trucks, and they will try to mine without  
10      blasting if possible.

11              Then, the next map, which is drawing 5-3, of  
12      this permit application shows the surface facility there  
13      again. There's going to be a 29-acre office, shop,  
14      bathhouse on the north end of the -- of the permit area.

15              There will be an on-site processing plant with  
16      crushing, sizing, cleaning and conveying. There will be  
17      a 150,000-ton coal stockpile, which will cover 3 1/2  
18      acres and have a 85-foot high stacker.

19              And the -- the next series of maps portray the  
20      road realignment. Actually, Wayne, point out the road  
21      as it goes through the facilities area, the road that --  
22      where it is now.

23              MR. WESTERN: This is the road coming down  
24      here (indicating), and this is the road realignment over  
25      here.

1 MS. BURTON: And Alton Coal Development has  
2 been in communication with the county and has worked up  
3 a preliminary design which they've shared with us.

4 And that's a series of small papers stapled on  
5 the wall. The first one shows the realignment, which is  
6 temporary.

7 The second paper shows the order of each of  
8 the -- the succeeding profile sheets, how they -- how  
9 they fall on the road.

10 So the paper that Wayne has, the dark shading,  
11 that shows each of -- where each one of the following  
12 sheets is located, and those sheets show the profile of  
13 the road and what it will look like.

14 And the road will be -- it will be 24 feet  
15 wide; it will be a gravel base road, and it will be  
16 treated with either calcium chloride or macadam. And  
17 there will be a 66-foot right-of-way on either side of  
18 the road.

19 Anything else? The BLM is -- I think John may  
20 have mentioned this. The BLM is currently doing scoping  
21 on the road right-of-way, and public has an opportunity  
22 to comment on the realignment with the BLM as well as  
23 with -- with us tonight.

24 The realignment is temporary, and it will be  
25 returned to its approximate original right-of-way at the

1 end of mining.

2 And there are -- there will be three possible  
3 final alignments, depending on whether or not the  
4 federal lease goes forward and whether or not Alton Coal  
5 Development acquires those leases. And that's -- that's  
6 what the Division knows about that road.

7 DIRECTOR BAZA: Priscilla, do you want people  
8 to have copies of this?

9 MS. BURTON: Yeah. They can have those.

10 DIRECTOR BAZA: We're going to be passing  
11 around a fact sheet that Priscilla referred to for  
12 anybody who wants one. Please feel free to take one.  
13 Priscilla's cards are up here as well.

14 I -- I should have mentioned that -- that the  
15 team that you see in front of you will be the review  
16 team for this coal mine application, and Priscilla has  
17 been designated as the team lead.

18 She actually lives in Emery County; and -- so  
19 she's very familiar with coal country and the impacts of  
20 the development that it has in those areas.

21 So if you want to correspond with Priscilla or  
22 ask questions of her, please take one of her cards. I'm  
23 sure she'd like to hear from you and exchange e-mails  
24 with you as you would like.

25 At this time, this is the time that we allow

1 to have anyone who wants provide oral comment.

2 We do have a court recorder here as you can  
3 see, and she's transcribing this -- not that this is a  
4 legal document for any reason, but we want to make sure  
5 we get your comments right the first time. So that's  
6 why she's here.

7 So if you're going to come up and make  
8 comments, please state your name so that she can hear  
9 you and identify yourself.

10 Let's start with those people who have  
11 supplied written comments to us, and, again, I'll repeat  
12 those names, Bobbi Bryant, Peter and Luella McMahan,  
13 Brian Douglas, Daron Cleveland, Kurt and Teresa  
14 Sherwood, Danielle Bass or Steven Bloch.

15 UNIDENTIFIED VOICE: Mr. and Mrs. Presca.

16 DIRECTOR BAZA: Oh, Mr. and Mrs. Presca also.  
17 Sorry about that.

18 Are any of those people here and would like to  
19 provide oral comments? Please step up to the  
20 microphone.

21 MS. BRYANT: My name is Bobbi Bryant,  
22 B-r-y-a-n-t. And I've been in communication with Daron,  
23 a couple of communications via e-mail.

24 And I guess I have a couple of questions  
25 that -- or a couple of items that I would like to have

1 clarification.

2 And one is -- I know several times it's been  
3 address- -- I live in Panguitch, by the way, Panguitch,  
4 Utah, and I own a business there called Bronco Bobbi's  
5 and used to own one of the historic homes that are  
6 restored in Panguitch. And I have lived there for 11  
7 years. And I own a historic building presently.

8 It states in the code rules that the Division  
9 consider the impact of hauling coal through Panguitch,  
10 Hatch and Alton.

11 The rules are clear that, in addition to  
12 considering the impact of coal mining and reclamation,  
13 operation to the permit area, the Division must give  
14 equal and full treatment to the adjacent area, the area  
15 outside of the permit area where a resource or resources  
16 determined according to the context in which adjacent  
17 area issues are or reasonably could be expected to be  
18 adversely impacted by the proposed coal mine.

19 And I think you all know the Utah state rules  
20 to that, but if you want me to quote those, I will.  
21 It's Rule 645-301-411.140. And also economics of the  
22 adjacent area is Rule 645-301-411.130.

23 I know that even the Utah State Historic  
24 Preservation Officer and other people have requested  
25 from the Division that this be addressed in the C.R.M.P.

1 and in other analysis of this permitting.

2 And, to date, I don't believe any of that has  
3 been done, and that is one of my questions is why? Has  
4 this fallen on deaf ears or are we going to have that  
5 study done?

6 The other thing is that several responses were  
7 sent to the Division regarding the impact of the coal  
8 mine on local economy and businesses in Garfield County.

9 Panguitch, as you know, recently received the  
10 designation of a National Historic District in 2006, and  
11 we have -- we continually see visitors come to Panguitch  
12 and come along Highway 89 because they no longer want to  
13 do the Interstate.

14 They want to visit the small towns, the small  
15 communities, the small roads, see the beauty. And what  
16 more beautiful place than Southern Utah? I mean, we're  
17 very, very fortunate to get to live here.

18 Representative Mike Morrell, I don't know if  
19 he's here. He made a comment in his -- in his memo  
20 that -- or his e-mail that \$150 million in mineral  
21 royalties come to the state.

22 But I didn't know if he also studied and  
23 realized that over \$376 million come in fishing  
24 activities -- and we used to, by the way, own Panguitch  
25 Anglers and fly-fishing business -- 274 million in

1 hunting activities and over 542 million in  
2 wildlife-viewing activities.

3 And that activity continues to increase each  
4 and every year, and we see more and more of that around  
5 Bryce Canyon.

6 Also I've heard for years -- I don't hunt, but  
7 the people in Alton live in probably one of the prime  
8 hunting areas, the Paunsaugunt Plateau. Everyone prays  
9 to the hunting gods that they get to draw a permit to  
10 hunt here. So I think that needs to be taken into  
11 consideration.

12 I also think we need to look at what happened  
13 with Salina Creek and the coal dust and the poisoning of  
14 that creek.

15 What will happen to the Sevier River, Mammoth  
16 and Asay Creeks? Will we have that same situation  
17 happen there?

18 Many of us draw off of those waters for our  
19 wells, the aquifers from there. Will that poison our  
20 water? Will we be in a position where we have to drink  
21 bottled water, that we no longer can use the wonderful  
22 well water that we enjoy today?

23 Last year over 30,000 -- 30,000 people came to  
24 Bryce Canyon just to see the night skies. How  
25 phenomenal are they? They're just absolutely beautiful.



1                   It's a -- my -- my question, if this mining  
2 activity goes for 24 hours a day, and trucks are  
3 traversing in and out of Alton every three to five  
4 minutes, plus the lights for the mine, what is that  
5 going to do to the night skies?

6                   I don't think that -- from what I've read  
7 under the C.R.M.P., I don't think adequate studies have  
8 been done on that, and I think we need to do more  
9 studies on it.

10                  I'm almost finished.

11                  The water situation, the slurry ponds. Right  
12 now, we know that Iowa has experienced the second  
13 500-year flood in 75 years. It's a terrible situation.

14                  We have 100-year floods here that seem to come  
15 every 10 years. How is that being addressed? How are  
16 we going to handle that, once walls of water come down  
17 and go into those slurry ponds that are going to go into  
18 Kanab Creek and the other creeks, Robinson Creek, and  
19 other creeks are going to be impacted and affected by  
20 that.

21                  Commissioner Hapshaw figures the Heritage  
22 Highway includes logging and mining, which is true.  
23 That was a wonderful heritage industry.

24                  But that was before we had national parks.  
25 That's before we had the Europeans and the Asians coming

1 over traveling to see the beauty of our state and the  
2 beautiful -- the beauty of Zion and Bryce, Capitol Reef,  
3 et cetera, all the parks that are in the counties that  
4 surround Kane County. So I want that to be considered.

5 Last year, over \$138 million was spent in  
6 Garfield County by tourism, \$90,000 in Kane County.  
7 Will these jobs equal that if we lose that tourism? I  
8 doubt it.

9 Thank you.

10 DIRECTOR BAZA: Thank you, Ms. Bryant.

11 And, let's see, who do we have coming up next?

12 MS. MCMAHAN: Luella McMahan.

13 DIRECTOR BAZA: Okay.

14 MS. MCMAHAN: Hi. I'm Luella McMahan. It's  
15 M-c-M-a-h-a-n. And I don't have a whole lot to add to  
16 what Bobbi did, but I do live in a historic home in  
17 Panguitch, and we are part of the historic district. We  
18 are on the Mormon Heritage Highway.

19 And I'm a business owner, and I rely on  
20 tourism. And I am very concerned about the negative  
21 impact that the increased traffic is going to have on my  
22 business because I don't think that the tourists are  
23 going to want to hassle with an additional 300 trucks on  
24 the roads to try to get to us.

25 And I'm also extremely concerned about the

1 health hazards. I have asthma, which is one of the  
2 reasons that I moved to Utah because I couldn't breathe  
3 in California.

4 I can breathe here, and I'm extremely  
5 concerned that I won't be able to do that any longer  
6 without some kind of oxygen with the coal mines come --  
7 coming into our town.

8 So I'm just wanting to know how many jobs are  
9 there going to be and how many of those positions will  
10 be filled by our locals.

11 Because I know that there may be jobs, but are  
12 those going to be actually filled by local people or are  
13 they going to be outsiders?

14 Because if it isn't going to help in that  
15 respect, then -- I mean, that -- that, to me, would be  
16 the only purpose for -- for having it, and I don't think  
17 that's a good one.

18 Anyway, that's all I have to say. I just am  
19 very concerned about everything, our environment, like I  
20 said, my health issues as well as everyone else's in our  
21 district and the negative impact on our tourism.

22 So, thank you.

23 DIRECTOR BAZA: Thank you. Okay. Was there  
24 anyone else from the list of names that I mentioned?

25 Okay. Let's move to that second group then.

1 Is there anyone here who supplied written comments that  
2 I didn't mention their name who would like to speak?

3 Okay. We've got several hands. Please come  
4 up to the microphone, and state your name for the  
5 reporter.

6 MS. CLEVELAND: My name is Claire Cleveland.  
7 I'm Mrs. Daron Cleveland.

8 I very much believe in individual freedom and  
9 private property and those rights.

10 However, when the activities on those  
11 individual properties negatively impact significantly  
12 the surrounding areas, then it's not just about those  
13 individuals and what they're doing on their individual  
14 land; it's about everyone who's around them and it's  
15 about how it's negatively impacting those people around  
16 them.

17 I think the impact of this mine would be  
18 significant. Bryce Canyon has one of the cleanest air  
19 qualities virtually in the world, from my reading.

20 It also has one of the best view sheds in the  
21 world for the night skies, as Bobbi was mentioning  
22 earlier.

23 And to jeopardize those -- it takes a long  
24 time, if -- if people hear about this news, and they're  
25 tra- -- and they're -- the tourism and that sort of

1        thing, it takes a long time to remedy that.

2                So even if it is just five years, that  
3        negative word can really have a sustaining impact on the  
4        tourism industry, which is huge in Southern Utah.

5                Also this part of the country is one of the  
6        last parts of this country that has this quiet and this  
7        solitude where you can go for miles and miles and miles  
8        and not see another human being. And bringing in this  
9        kind of industry really negatively impacts that as well.

10               And for people moving into this area from  
11        different areas who are bringing in economic well-being,  
12        bringing in new businesses typically based on the -- the  
13        tourism industry, those folks are coming here because  
14        it's unique.

15               If you want to go in -- in the city, there's  
16        New York, Boston, basically the entire East Coast, the  
17        entire West Coast.

18               They're there; they have infrastructures that  
19        are built and in place, it won't cost the state billions  
20        of dollars -- it would cost the state billions and  
21        billions of dollars to recreate that infrastructure for  
22        those cities, but then we'd just be like everybody else,  
23        there'd be no special draw for people to come here.

24               Sorry, I'm nervous. I haven't done this  
25        before.

1           And being that unique place, I think that's  
2 what differentiates us and makes this a place that  
3 people want to start those kinds of businesses and will  
4 be the future of Utah.

5           That's what its unique characteristic is. I  
6 think if you destroy that, then we're just like  
7 everybody else, and you lose that primary uniqueness  
8 that differentiates us.

9           Just keeping this area the way it is as far as  
10 the natural resources, as far as the national parks and  
11 those sorts of things are what -- are what's going to  
12 draw people here, and it's what's going to be the future  
13 of -- of this area, of this country.

14           Thank you.

15           MS. YARD: Hello, my name is Becky Yard. My  
16 husband and I own a home and a business on Main Street  
17 in Panguitch, Utah. Most of my concerns have already  
18 been addressed.

19           But my husband and I both are members of  
20 Panguitch Main Street and the Triple C Board of  
21 Directors, and we work very hard to bring events and  
22 tourism to Panguitch.

23           And I'd like to know what will happen -- we  
24 block our streets off in Panguitch four times a year for  
25 festivals that bring sometimes up to 10,000 people into

1 our little town. What will happen with coal trucks  
2 coming through every 4.8 minutes to our beautiful town?

3 I know this is a selfish statement, but I'm  
4 going to read it anyway.

5 If there must be a coal ca- -- a coal mine in  
6 Kane County, why not choose a truck route through Kane  
7 County and leave our -- leave Garfield County out of the  
8 picture.

9 If Kane County is receiving most of the  
10 federal funds for hosting this coal mine, let their  
11 roads bear the brunt of the damage and the traffic --  
12 traffic these trucks will produce.

13 We truly believe the amount of road funds that  
14 we pay for Garfield County will not justify the amount  
15 of money Panguitch and surrounding towns will lose in  
16 the lack of tourism, not to mention the damage of our  
17 roads.

18 Thank you.

19 DIRECTOR BAZA: Some other hands? Please,  
20 there's a microphone over here too.

21 MR. HARTLEY: My name is Richard Hartley,  
22 H-a-r-t-l-e-y. And, in my written comments, I addressed  
23 all of the issues that we have talked about here.

24 There's one that I haven't heard anybody else  
25 talk about. And that is the route over Highway 20 in

1 the wintertime.

2 Highway 20, in the wintertime, for about eight  
3 miles from the bottom of the curve -- you get across the  
4 hill, down the other side, is every bit as treacherous  
5 as any other piece of road in this country.

6 The trucks that are going to be traveling on  
7 the road are going to have to stop, chain up, go across  
8 the mountain, down the other side, stop, unchain, before  
9 they get to Highway 15 and then proceed on into Cedar  
10 City.

11 What I would like to know is what kind of  
12 provision has been made for the line of trucks both  
13 coming and going over that particular highway in the  
14 wintertime has been made.

15 Because if there's been no provision made,  
16 there's going to be a line of trucks clear back to the  
17 state line as these guys chain and unchain these trucks.

18 Thank you.

19 MR. SWAPP: My name is Richard Swapp. And I  
20 live outside the town of Alton just over here on -- on  
21 the ranch.

22 And I appreciate all the concerns that have  
23 been brought up. I share some of those concerns.

24 The -- the main concern I have is my  
25 understanding that the coal company has made a verbal



1 commitment to the town of Alton, they will not drive  
2 their trucks through the town.

3 Now, if they're not going to drive the trucks  
4 through the town and they're going north, I would really  
5 like to know what their proposed route is and what  
6 they're going to do.

7 We -- we have private property; we're planning  
8 on subdividing. If they -- they've made overtures to us  
9 to buy part of that property, which has been turned  
10 down. But, with the recent court rulings and things  
11 like that, there's always ways to get around that.

12 And I would like to know what the coal company  
13 plans to do about that route, and actually if that falls  
14 partially in the permitting process.

15 Thank you.

16 MS. ALLISON: My name is Barbara Allison. I  
17 live in Panguitch; I have a business in Panguitch. We  
18 have a motel right on 89.

19 Right at this time of year is very difficult  
20 for our customers to even get out on 89 because there is  
21 a lot of trucks; there is a lot of cars. And I can't  
22 imagine every four and a half minutes a coal truck added  
23 to this.

24 So it -- it makes you think, quick, sell the  
25 business, get out because how are these tourists going

1 to handle it all. It's just -- it's a real puzzle.

2 Most everything else has been covered by all you folks.

3 The danger for children is a big worry for us.

4 We have great-grandkids who come up. And what's going

5 to happen when these little grandkids accidentally go on

6 that 89. It's scary, very scary.

7 Okay. Let's see. The jake brakes, the

8 shifting of all the trucks, all that noise, I think, is

9 really going to damage the motel business, and we are a

10 tourist town.

11 We have 13 or 14 little motels in town besides

12 bed and breakfasts, and it's -- it's a tourist town.

13 And it's enjoyed by everybody. It's so

14 beautiful. It's -- we want to keep it that way.

15 Thank you.

16 MR. DRUMMOND: My name is Jerry Drummond,

17 D-r-u-m-m-o-n-d. I operate a small lodge up on

18 Highway 89, just south of Highway 12.

19 We cater to park visitors and fly fishermen.

20 As far as fly-fishing goes, I've fished all over the

21 country. I've been in states where you can't even get

22 in the waters because they're condemned today.

23 I'm very nervous.

24 Other parts of the world, as you might know or

25 might not, there aren't any fish in the waters anymore

1 because they abused them. At least, we've taken the  
2 efforts to try and calm that a bit.

3 As far as the park visitors go, probably  
4 80 percent or more of our visitors are park visitors.  
5 They come here for the reasons you've heard, because of  
6 the skies, the quietness. They comment over and over  
7 again. They come back over and over again.

8 They come from Internet advertising. They  
9 come from travel agencies. I've spoken to a few of our  
10 travel agencies that bring people to our area. And they  
11 have basically said that when they get a bad report,  
12 they stop recommending.

13 So, thank you.

14 MS. ALLISON: My name is Carol Allison. I  
15 live in Panguitch off of Highway 89 just south of 12. I  
16 agree with most of the comments that have been made  
17 here.

18 My husband and I purchased our property  
19 because we so enjoyed the beauty of this area. And just  
20 driving up here today, I could not imagine what is going  
21 to happen to this area and what is going to happen to  
22 your tourism.

23 And, as Mr. Drummond said, as being a travel  
24 professional, I can tell you he's right. And when the  
25 word gets out about this area and about the coal mine

1 trucks and the traffic, the noise and the dust and the  
2 dirt, you can bet the travel professionals will not  
3 endorse this area. And it's such a beautiful area.

4 And the people that we have met in this area,  
5 the businesses, I think it's justly unfair to the common  
6 man to do this.

7 MR. JOHNSON: My name is Jim Johnson. I live  
8 in Kanab. I want to address this trucking business a  
9 little bit. Chance Corporation travels through Kanab  
10 from Page, Arizona to Las Vegas, Nevada, 24/7.

11 They come up over a high grade at the north  
12 end of the Kaibab. They travel through Hurricane, stop  
13 in the middle of Hurricane, a busy part of the section  
14 of town, travel past the elementary school.

15 We thought the same thing as the people of  
16 Panguitch. I can say that we've had no problems with  
17 them traveling through Kanab, like I say, 24/7.

18 I would do work at a local motel there. And I  
19 do know that we turn away people practically nightly,  
20 tourism.

21 Thank you.

22 MR. MCMAHAN: My name is Peter McMahan as well  
23 as my wife. She mentioned some of the economic impact.  
24 I worked for the Federal Government for 31 1/2 years,  
25 including eight years with the national parks.

1           During the late '70s and early '80s at Mesa  
2 Verde National Park, they did a visibility study, of  
3 which I was a part, viewing the changes that were  
4 apparently going on in the Four Corners area.

5           And when the conclusion of that study came  
6 out, it was determined that visibility had significantly  
7 decreased directly related to coal projects, the power  
8 plants and others, and some of the -- the negative  
9 impact that was felt by that region. This is a -- a  
10 matter of public record.

11           I also have a degree, one of my degree's in  
12 biology. I can tell you that with wildlife migrations,  
13 as they instinctively cross the highway -- and having  
14 also worked in Everglades National Park and seeing these  
15 migrations, I can also add very distinctly with studies  
16 that I've participated in, that the wildlife will be  
17 very negatively impacted, especially with the number of  
18 trucks more significantly than what this gentleman  
19 pointed out that would be seen on the highway.

20           Thank you.

21           MR. HEATON: Hi. I'm Ron Heaton from Cedar  
22 City, Utah. I made comments. I'd just like to talk  
23 about the employment possibilities.

24           There are some significant problems with  
25 transportation that need to be addressed, but one of the

1 things that Kane County lacks is diversity in  
2 employment.

3 And the coal mine definitely would bring some  
4 of those. And we ought to consider those employment  
5 needs because there are -- I grew up here but could not  
6 stay here because of employment.

7 I was fortunate enough to find a job close in  
8 Cedar City, Utah, but I have children from Hawaii to  
9 Maryland who cannot be here because of employment  
10 opportunity. And I think that ought to be considered  
11 because we do need some employment.

12 It would be my preference if they could use  
13 the coal on-site, but, as you all know, they proposed an  
14 Alton project slurring the coal out 30 years ago.

15 And it was turned down because they didn't  
16 want any power plants in the area. It was never built.  
17 It was probably a wise decision, but the Alton project  
18 never succeeded either.

19 And our nation faces some difficult energy  
20 problems, and we need to address those one way or the  
21 other.

22 So I think you need to consider employment and  
23 what it would do for -- for the county and this end of  
24 the state.

25 MR. THEVENIN: I'm Paul Thevenin, and I'm from

1 Alton here. For those of you who drove in, I live in  
2 the first house as you come into town. And I love this  
3 community wonderfully well.

4 I think this is basically a local community  
5 project, and I think the greatest weight should be given  
6 to the people who live here locally.

7 They talked about the road and that. It's  
8 going to be diverted out around. It really doesn't  
9 affect the tourists that much, that particular road,  
10 because it's a dirt road.

11 Very few people come in, go out -- and go out  
12 through Johnson Canyon. And it's going to be replaced  
13 by a dirt road. It's a gravel road, but it's basically  
14 dirt. So that's one of the things. I think we don't  
15 have a real problem with that.

16 One of the other things that was mentioned is  
17 the pollution that's going to be up at Bryce. We're  
18 here at about 7,000 feet; Bryce, I think, is about 9,000  
19 feet. And I don't think that type of particulate is  
20 going to get into the air and go up the 2,000 feet to  
21 really inundate Bryce Canyon.

22 As far as the truckers go, I would really  
23 rather trust my grandchildren to a truckdriver with a  
24 CDL than somebody my age, 74, driving a big motor home  
25 through town when he doesn't have the vaguest idea what

1 to do with a vehicle that big.

2 So I have -- having been around truckers most  
3 of my life, really very few people ever get squashed by  
4 commercial truckdrivers.

5 One the other things that was on my mind --  
6 oh, as far as the relocation or restitution of the  
7 property, this project came up, or discussions about it,  
8 about four years ago or so.

9 And this time I was on the town council, and  
10 they recommended we go up to Kemmerer, Wyoming to see  
11 what's being done with redoing the property up there.

12 Having been in and through Kemmerer, Wyoming  
13 many years ago, I will have to say that Kemmerer,  
14 Wyoming never looked as good as it did after they did  
15 the re- -- redoing of the property up there. It's a  
16 much, much nicer place.

17 If any of you've ever been up around Kemmerer,  
18 Wyoming, my advice is to go see what they're doing with  
19 reclamation.

20 A lot of people, when they think of mining,  
21 they think of the old days, the strip mining, where you  
22 stripped it and ran off to somewhere else and left  
23 everything alone. But there's so many safeguards now; I  
24 don't think that'll happen.

25 Oh, the other thing is, being -- being from



1 Alton, I think -- as this project is down here in the  
2 Alton area, I think, probably the greatest weight of  
3 concern for those who are making decisions should be the  
4 feelings of the people here in Alton.

5 DIRECTOR BAZA: We have plenty of time if  
6 there's anybody else who wants to comment.

7 MR. JUDD: Hi. My name is Brent Judd, and I  
8 live here now since -- I have for about 10 years, 13  
9 years. Born and raised in Kanab.

10 I love the red rocks of Kanab, and the white  
11 ledges of Johnson Canyon and the pink cliffs of -- of  
12 Bryce. It's a beautiful area.

13 But I also know that this country is in a  
14 world of hurt when it comes to energy. We always want  
15 somebody else to do it for us. We always want it to go  
16 someplace else.

17 And I believe that we are stewards of the  
18 land. And we need to take care of what we have, and I  
19 believe that we can do it in a -- in a way that can be  
20 helpful and friendly and be able to provide the  
21 resources that we need in this country.

22 So I'm for the Alton Coal Project. I'm  
23 concerned about the road out of here and how they're  
24 going to get it through the town of Alton.

25 And I -- I expressed the same question that

1 Richard addressed a little while ago. And how are they  
2 going to do that because the streets here in Alton are  
3 pretty tiny, but I -- I believe that we can -- we can  
4 probably work that out somehow.

5 But we need to take care of our energy needs  
6 in this great country, and we can't pawn it off onto  
7 anybody else any more.

8 Tourism will survive, but if energy goes away,  
9 tourism will go away too because nobody will be able to  
10 drive here to see this beautiful land.

11 Thank you.

12 MS. BRYANT: I -- I guess I need a  
13 clarification. During the BLM initial BIS, we were told  
14 by the Alton -- the Coal Hollow project that this coal  
15 was not -- was going to be railed out of here in Cedar  
16 City. And, at one time, I was told it was going to  
17 China.

18 I guess we need clarification. Is this coal  
19 going to be used in the United States or not?

20 DIRECTOR BAZA: I know that's a question you  
21 want addressed. We do have a representative of the coal  
22 company here.

23 I indicated to him that we would give him the  
24 last word tonight to try to respond to some of these  
25 comments and questions.

1                   But, before I do that, is there anyone else  
2 who wants to be on the record tonight?

3                   MR. SALVATO: Hi. My name is Vince Salvato, I  
4 live in Panguitch. Salvato, S-a-l-v-a-t-o.

5                   In answer to this question about jobs, last  
6 year in Garfield County, there was 500 building permits  
7 issued. And 90 percent of the construction in Garfield  
8 County was done by outsiders.

9                   The jobs are here. We need to educate our  
10 young people, train them, send them to school for  
11 plumbing, carpentry, framing. There's plenty of jobs.  
12 That's not an issue.

13                   Thank you.

14                   DIRECTOR BAZA: I see we have some people that  
15 just walked in. Right now, we have a bit of an open  
16 mike.

17                   If you would like to make comments for the  
18 record for us to consider as a Division, please step up  
19 to the microphone and do that.

20                   We'll shortly be turning some time over to the  
21 representative of the coal company who would like to say  
22 a few words too.

23                   MR. FRANK NICHOLS: I'm Frank Nichols; I'm  
24 from Cedar City. I'm -- I own the property and the  
25 industrial park where the coal will be loaded out of.

1           And this is a very positive thing for the  
2 railroad and Cedar City, sparkplug more railroad use,  
3 which will sparkplug more railroad use.

4           And railroads are coming back. It's the  
5 efficient way to move materials and equipment especially  
6 now that energy costs are a lot.

7           And so it's going to do a lot for employment  
8 also in Cedar City. And so I'd just like to go on  
9 record as supporting it.

10          DIRECTOR BAZA: Okay. We have a comment back  
11 here.

12          MR. BRIAN NICHOLS: Hi. My name is Brian  
13 Nichols from Cedar City also. And we're here with  
14 Frank.

15          We're excited for the economic development  
16 opportunities that are going to come with the expansion  
17 of -- of the coal operations over here for -- for this  
18 part of the county as well as where we're at.

19          My wife's family has a summer residence just  
20 off of Hatch in the Mammoth Creek area. And I think  
21 that we're just excited to have these opportunities.

22          I think, with energy costs where they're at,  
23 that -- that expansions such as these are going to  
24 happen, whether in this part of the country or  
25 otherwise, and -- and we might as well benefit from it.

1           So I'd like to go on record as being in favor  
2 as well.

3           Thank you.

4           MR. HEATON: My name is Claren Heaton. I'm  
5 the Mayor of Alton. I figure I ought to, at least, get  
6 my two cents worth in here.

7           I know we've talked about truck traffic and --  
8 and wildlife and -- and all of these things, and -- and  
9 I understand that there's -- there's some concerns  
10 there.

11           And, again, it was brought up about the energy  
12 prices, the energy costs. I just noticed -- I don't  
13 know how many of you have gotten your Garkane paper in  
14 the last three or four days.

15           They're talking about a rate hike because  
16 of -- because of transportation costs. That's going to  
17 be held in, I think, it was in October of this year when  
18 they're talking about that.

19           What -- what is that going to do if -- if we  
20 don't -- can't supply the coal to some of our local  
21 power plants, and we bring it in from out of state,  
22 which eventually is going to happen because Carbon  
23 County and Emery County are literally running out of  
24 coal.

25           And people that I have talked to up in that

1 area have said there might be five to eight years left  
2 of coal mining in the State of Utah.

3 Kane County has 97 -- 96 or 97 percent of the  
4 coal that's in the State of Utah. Now, if we could get  
5 access to that -- and I know some of it's on federal  
6 land, and some of it's locked up in the monument out  
7 there.

8 But if we could get access to that coal for  
9 our local power plants, I think that would do a lot in  
10 keeping our electrical costs down.

11 Now, you talk about jobs. All the jobs that's  
12 come into -- into Garfield County, probably most of 'em  
13 happened on Cedar Mountain up around the lake, going --  
14 going up that way.

15 I know there's a lot of building going up  
16 there, but what does that do for us? Those jobs don't  
17 do anything for the town of Alton. That doesn't do  
18 anything for our kids to come back to the Town of Alton  
19 and live and stay.

20 And I -- I understand the transportation costs  
21 that you have, but there are other things. There are  
22 other people who are affected by it, not only with the  
23 transportation but with energy costs, with power costs.

24 And if we can use this coal to even make --  
25 there -- there's some people around that have the

1     ability to do gasification, which makes diesel fuel out  
2     of this stuff, gas out of this stuff.

3             Why not try and be energy sufficient right  
4     here? If we can make diesel, if we can make gas, and we  
5     can keep our electrical costs down, why not do it right  
6     here?

7             I mean, there may be some things that we have  
8     to -- that we have to live with. I mean, I'm not --  
9     I -- I'm not thrilled about all of the trucks if they --  
10    if we have to come through town. I understand that.

11            But there's some things that we have to do or  
12    I don't know where our standard of living is going to go  
13    if we keep buying fuel, buying oil, buying coal from  
14    outside the country basically.

15            And it keeps -- I mean, how many of you like  
16    the \$4 a gallon for gas, \$5 for diesel? I don't know  
17    how many of you own diesel trucks, but I know a couple  
18    who have gotten a diesel truck not too long ago, when it  
19    was at \$3 a barrel -- or \$3 a gallon, and they basically  
20    had to park their truck because they can't afford to  
21    drive it anymore.

22            And if we can afford and have someone here in  
23    this area that can make diesel out of coal, gas out of  
24    coal, why not do it? Why not let it happen right here?

25            Thank you.

1           MR. BARON: Hi. My name is Erik Baron,  
2 B-a-r-o-n, and I work in Kanab. I commute 48 -- or 84  
3 miles a day to go to work in Kanab because there is no  
4 job near here that will totally suffice to support me  
5 and my family.

6           I was lucky enough to marry a girl from here,  
7 and we were able to get some property.

8           On the trucking issue, working in Kanab, I  
9 work at the Sheriff's Office in dispatch, and I work the  
10 night shift.

11           And, just a different spin on things, at night  
12 the trucks are the only ones going down the road most of  
13 the time.

14           You know, we have accidents at night, and, a  
15 lot of the times, the truckers see the accidents and  
16 call in and report 'em.

17           Whereas, before we had the trucks coming  
18 through from Page to Kanab to Hurricane, it was  
19 sometimes eight hours before somebody was found lying on  
20 the road who was thrown from their car. But these  
21 truckers were able to stop, render first aid and get  
22 medical attention.

23           Now, tourism in Kanab has not slowed down any,  
24 and they have actually progressed and been able to open  
25 more shops and more tourist attractions for the town.



1 And so there's been plenty of opportunities for  
2 tourists.

3 Kanab has several historical places also that  
4 were somewhat affected, but they've gone -- they've  
5 overcome those things that have happened, and they've  
6 moved on.

7 And, overall, the company that's hauling from  
8 Page to Hurricane has helped -- excuse me, helped the  
9 Kanab community numerous ways more than just, you know,  
10 having traffic there.

11 There's a lot of other things that go with the  
12 traffic. There are good sides of it. And so I'm quite  
13 in favor of this.

14 Thank you.

15 MR. BLACKWELL: Hi. My name is Rick  
16 Blackwell, Paiute County Commissioner. I thought I  
17 lived in the most beautiful little community in Southern  
18 Utah until I drove into Alton, Utah.

19 And now I know why my children -- all of my  
20 children have very good friends from Orderville and from  
21 Alton. I have a son used to come here and stay and was  
22 very good friends with the Heaton family.

23 But, beyond that, I think Alton and Southern  
24 Utah has a great opportunity to do some wonderful things  
25 with this coal mine.

1           And I'm going to tell you, many of you have --  
2   have talked about -- worrying about your [sic] trucks  
3   traveling through your community.

4           I was born and raised in Circleville. And I  
5   don't know how many of you realize and remember a little  
6   trucking company called Hatchco.

7           But I was living on Main Street of Circleville  
8   and grew up there. And we had approximately 100 trucks  
9   a day who were taking oil from the Escalante oil fields,  
10   back when I was growing up, that come through our  
11   community.

12           At that time, we had two additional cafes, two  
13   more motels and four gas stations. When that started to  
14   dry up and they quit coming through our community, it  
15   died. We have one motel. We have one grocery store and  
16   one gas station in Circleville.

17           So those of you who have businesses in -- in  
18   Panguitch, I think it will enhance and glorify your  
19   businesses with more business.

20           The opportunities for infrastructure on our  
21   road improvements alone with these trucks traveling the  
22   road will also enhance your tourism with the  
23   improvements that'll be done on the roads and other  
24   things.

25           And I know the employment -- I know what

1 that's going to do for Southern Utah. So, you know, I  
2 know it's -- it's -- it's Alton here who's going to have  
3 to live with the biggest problems, but I support them.

4 I'm not sure what your commissioners have --  
5 are supporting this or not. I will get in touch with  
6 some of them and find out.

7 But I know the Paiute County Commissioners  
8 would be in support of a project like this. We wish we  
9 had the coal in our county.

10 Thank you.

11 DIRECTOR BAZA: I don't want to shut this  
12 down. I think this is -- we're getting some very good  
13 comments here, so . . . but if no one else has anything  
14 they want to say, I'm going to ask a representative of  
15 the applicant to come forward and make his statement.

16 MR. MCCOURT: My name is Chris McCourt. I'm  
17 the manager of Alton Coal Development, and I will  
18 directly address the question about the contracts and  
19 where this coal is -- is slated to go.

20 Right now, we're still in the negotiation  
21 period with several different groups, but I can tell you  
22 it's mainly going to be in the regional utilities  
23 industry, the majority of the coal will be.

24 We will not be able to nail down the contracts  
25 until we have permits, and nobody's going to sign them

1       until that time.

2               So, at this point, I can't tell you the exact  
3       locations that it will be going to, but that's the  
4       process.

5               Once we have the permits, we'll be able to sit  
6       down with the companies that we've been working with  
7       already and -- and confirm where -- where the locations  
8       of the coal will be.

9               We will -- the main location will be trucked  
10      to the Cedar City locale, and, from there, there's --  
11      there's numerous different locations that we can direct.

12              (Inaudible question asked.)

13              MR. MCCOURT: The majority of it will be, yes.

14              THE REPORTER: I didn't hear the question.

15              MR. MCCOURT: He asked if it would be in the  
16      United States. The majority of it would be.

17              As far as the rest of the questions, the  
18      Division will be going through the transcripts from this  
19      meeting.

20              And they'll be providing the questions that  
21      they would like us to respond to in the technical  
22      adequacy assessment that they'll be giving to us  
23      probably in the near future. And we will address them  
24      in writing at that time.

25              Outside of that, the Alton Coal Development

1 would like to choose not to comment any further at this  
2 time.

3 Thank you.

4 DIRECTOR BAZA: Okay. Last chance. Does  
5 anyone have anything else they want to say?

6 Now, let me -- let me reiterate, this is not  
7 your last opportunity to make a statement to the  
8 Division.

9 In my opening remarks, I outlined that we're  
10 going to leave the time open for written comments as  
11 part of this informal conference through the end of this  
12 week.

13 But we also have -- as Priscilla has  
14 mentioned, we have a website, put the information up on  
15 the board that allows you to log in and find information  
16 on this -- this project as it proceeds.

17 We have staff members here who can answer your  
18 questions. Please get in touch with them. And we'll be  
19 here for -- for a few minutes more, and -- and you can  
20 get e-mail addresses or phone numbers from them in order  
21 to contact us with your questions.

22 We want to be as responsive to you as  
23 possible. I think you can see by the range of comments  
24 we had tonight, this is not an easy decision.

25 But it's one that we're going to take very

1 seriously, and we're going to make sure that we do make  
2 the right decision that we can make under our laws and  
3 rules that have been established for us in the State of  
4 Utah.

5 So, with that, if there's nothing else, I will  
6 call this meeting closed. And please come forward and  
7 ask the staff members any questions you want or look at  
8 the maps or peruse the volume of material we have here.

9 Thank you all for coming. We really  
10 appreciate your comments and interest.

11 (The proceedings were concluded at 7:22 p.m.)  
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REPORTER'S CERTIFICATION

I, CAROLE YELTON, a Registered Professional Reporter and a Notary Public in and for the State of Utah, certify:

That the foregoing proceedings were taken before me at the time and place herein set forth.

That the Informal Conference proceedings were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney or of any of the parties nor financially interested in the action.

IN WITNESS WHEREOF, I set my hand this 24th day of June, 2008.

  
CAROLE YELTON, RPR  
Notary Public

